IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 30TH MAY 2007 / 9TH JYAISHTA 1929

WP(C).No. 13193 of 2007(U)

PETITIONER:

G.SUKUMARA PILLAI, S/O.N.GOPALA PILLAI,
AGED 63 YEARS, RESIDING AT 'DEEPA',
MANNAMKONAM, MANNAMKONAM P.O.,
THIRUVANANTHAPURAM - 695 125.

BY ADV. SRI.RAM MOHAN.G.
SRI.G.P.SHINOD
SRI.MANU V.

RESPONDENTS:
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1. THE KERALA STATE ROAD TRANSPORT CORPORATION REPRESENTED BY ITS MANAGING DIRECTOR, TRANSPORT BHAVAN, FORT P.O., THIRUVANANTHAPURAM.

2. THE MANAGING DIRECTOR, KERALA STATE ROAD TRANSPORT CORPORATION, DO DO.

3. ASSISTANT PERSONNEL OFFICER (PENSION), KERALA STATE ROAD TRANSPORT CORPORATION, DO. DO.

BY ADV. SHRI.K.PRABHAKARAN, SC, KSRTC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1	**TRUE COPY OF THE ORDER DTD. 27-7-99 OF R3**
EXT.P2	**TRUE COPY OF THE CERTIFICATE OF SERVICE, DTD. 15-11-77 ISSUED TO THE PETITIONER BY THE COMMANDANT OF THE FOURTEEN BATTALION OF C.R.P.F.**
EXT.P3	**TRUE COPY OF THE GOVT. ORDER DTD. 26-10-90.**
EXT.P4	**TRUE COPY OF THE GOVT. ORDER DTD. 3-3-1977**
EXT.P5	**TRUE COPY OF THE REPRESENTATION DTD. 21-8-00 SUBMITTED BY THE PETITONER BEFORE THE SECOND RESPONDENT.**
EXT.P6	**TRUE COPY OF THE COUNTER AFFIDAVIT SUBMITTED BY THE LAW OFFICER OF THE FIRST RESPONDENT CORPORATION BEFORE THE HONOURABLE LOK AYUKTA IN COMPLAINT NO. 1211 OF 2002**

/True Copy/

K.M.JOSEPH, J.

W.P.(C).No.13193 OF 2007

Dated this the 30th day of May, 2007

JUDGMENT

Case of the petitioner is as follows:

Petitioner retired from the respondent Corporation in 1997. He was employed as Naik/Driver in the C.R.P.F. from 23/12/1962 to 15/11/1977. Petitioner relies on Ext.P3 and P4 government orders to contend that he is entitled to get pensionary benefits in terms of Exts.P3 and P4 orders. Petitioner also relies on Ext.P6 order passed by the Lok Ayukta. Petitioner has preferred Ext.P5 before the second respondent.

2. I heard learned counsel for the petitioner and the learned counsel for the Corporation.

3. I feel that a decision should be ordered to be taken on Ext.P5. The writ petition is disposed of directing the second respondent to take a decision on Ext.P5 in accordance with law

within a period of six weeks from the date of receipt of a copy of this judgment. I am sure that the second respondent will not give rise to any complaint of discrimination. I leave open the contentions of the petitioner.

K.M.JOSEPH
JUDGE

sv.